



→ Danielle Vrabie

Partner

30 Rockefeller Plaza
New York, NY 10112

T: +1.212.634.3081

F: +1.917.438.6162

dvrabie@sheppardmullin.com

Danielle Vrabie is a partner in the Business Trial Practice Group in the firm's New York office and a member of the firm's healthcare practice team.

Areas of Practice

Danielle represents corporate clients and individuals in complex commercial litigation and government investigations throughout the country. A substantial portion of Danielle's practice is dedicated to serving healthcare and life sciences clients, including hospitals and health systems, physician and specialty practice groups, managed care organizations, pharmaceutical companies, long-term care providers, and medical device companies. She has experience representing these clients in a variety of contexts, including commercial disputes and litigation, enforcement actions, government investigations, state Medicaid audits, repayment demands, and voluntary self-disclosures. She also has significant experience defending against investigations and litigation involving allegations under the False Claims Act, Stark Law, Anti-Kickback Statute, and similar anti-fraud statutes. In this context, she also assists companies in conducting internal investigations regarding fraud, allegations of employee misconduct, and whistleblower complaints and developing cost-effective and practical compliance and risk management programs.

Danielle helped establish and co-leads the firm's Women in Healthcare Leadership Collaborative, whose goal is to promote the advancement of women in the healthcare industry by bringing them together in a supportive community and providing them with targeted education focused on complex legal issues, healthcare innovation, and other critical issues.

Danielle's general litigation practice includes representing clients in the financial services, aerospace, technology, and manufacturing industries in cases involving breach of contract, fraud, trade secrets, non-competition and non-solicitation agreements, trade libel, and allegations of unfair trade practices.

Danielle also maintains an active pro bono practice. She has been recognized for three consecutive years by The Legal Aid Society for her outstanding pro bono service. Danielle recently obtained a directed verdict following a bench trial in New York Supreme Court, New York County for her client who was accused of operating a children's dance studio in violation of her lease.

While in law school, Danielle was named an Alexander Fellow, allowing her the opportunity to serve as a student judicial clerk to the Honorable Kimba M. Wood, Chief Judge of the Southern District of New York. She also served as a judicial intern to the Honorable Dora L. Irizarry in the Eastern District of New York. In 2020, Danielle was honored with the firm's third annual Bob Williams Award, which recognizes Sheppard Mullin attorneys and staff who provide exceptional service for the betterment of the firm and the community.

Honors

Pro Bono Publico Award, Legal Aid Society, 2013-2015

Experience

False Claims Act

- Representation of home health provider in False Claims Act suit related to allegations of non-compliance with CMS regulations.
- Representation of medical equipment supplier in *qui tam* suit filed by former employee alleging violations of CMS guidelines governing DME suppliers purportedly resulting in submission of false claims.
- Representation of medical director physicians accused of upcoding and providing medically unnecessary services.
- Representation of leading aerospace manufacturing company in False Claims Act suit relating to parts certification for airplanes flown by the Department of Defense; district court dismissed all claims pre-discovery and decision was affirmed on appeal.

Internal Investigations & Government Investigations

- Representation of multiple physician practices in connection with DOJ investigation into clinical laboratory arrangements.
- Representation of pharmaceutical company in DOJ investigation concerning allegations of kickbacks to physicians.

Complex Commercial Litigation

- Representation of medical device company in connection with breach of contract claim against private equity firm regarding exercise of certain stock rights.
- Representation of global healthcare company in Federal suit and arbitration proceedings in which former employees sought change-in-control benefits exceeding \$15 million.
- Representation of leading aerospace manufacturing company in trade secrets misappropriation suit against former employee who secretly agreed to join direct competitor.

Articles

- Making The Granston Memo Work For FCA Defendants
Law360, 03.04.2019
- Co-author of the "Health Care Fraud and Abuse 2016 Update" chapter in *Health Law Handbook*, Twenty-Ninth Edition (2017), WestGroup, a Thomson Company.
- Co-author of the "Excuses Doctrine" chapter in *Commercial Contracts: Strategies for Drafting and Negotiating*, Second Edition (2015), Wolters Kluwer.

Coronavirus Oversight and Enforcement Posts

- "Big Data: The Next Frontier In Cares Act Fraud Detection," September 15, 2020

Government Contracts, Investigations & International Trade Blog Posts

- "Kickbacks Aren't Illegal Just for Federal Health Care Programs in Recently Enacted SUPPORT Act: New Compliance Concerns for Physician-Owned Laboratories," November 6, 2018

Healthcare Law Blog Posts

- "Sutter Health Settles Medicare Fraud Case For \$90 Million: The Largest Settlement For Medicare Advantage Fraud," September 13, 2021
- "Compliance Risk Alert: Opioid Warning Letters issued by the U.S. Department of Justice Target Prescribers," February 6, 2019

Finance & Bankruptcy Law Blog Posts

- "Precautionary and Prudency Measures for Boards Addressing COVID-19 Business Uncertainties," April 10, 2020

Speaking Engagements

Speaker, "Impact of Chart Reviews and HRAs on MA Payments: The OIG's Findings and the Landscape Ahead," *American Health Law Association*, April 14, 2022

Speaker, "Fraud and Abuse & Managed Care: Key Issues and 2021 Updates," *American Health Law Association*, November 4, 2021

Moderator, "Ethically Handling FCA Investigations, Litigation, and Whistleblowers," *False Claims Act and Qui Tam Trial Institute 2019*, June 19, 2019

Events

WHLC Dobbs Series Part 1

Where are we now? Join us for a primer on state law post-Dobbs and recent developments.

Webinar, 07.12.2022

The Sweeping Landscape of Potential Liability For Risk Adjustment Activities: Providers and Vendors Beware, It's Not Just a 'Health Plan Issue' Anymore

10.14.2021

Strategies for Navigating Stress: A Series for Healthcare Leaders

via Zoom, 05.20.2021, 06.17.2021, 07.09.2021

WHLC and NAWL Present: Stark, AKS & Value-Based Care under the Biden Administration

02.25.2021

Women in Healthcare Leadership Collaborative (WHLC) Presents: A View from the Capitol

2020 Healthcare Policy, Legal and Regulatory Predictions

Sheppard Mullin, New York and Sheppard Mullin, San Francisco, 01.23.2020

Podcasts & Webinars

The Sweeping Landscape of Potential Liability For Risk Adjustment Activities: Providers and Vendors Beware, It's Not Just a 'Health Plan Issue' Anymore
10.14.2021

WHLC and NAWL's Webinar - Stuck on Stark: Where do HHS' New Rules on Value-Based Care Stand under the Biden Administration, and What does that Mean for Collaboration in the Industry?
02.25.2021

Nota Bene Episode 67: Challenges and Opportunities Facing Women in the Healthcare Industry with Amanda Zablocki and Danielle Vrabie
01.29.2020

Practices

Litigation

Healthcare

Government Contracts, Investigations & International Trade

False Claims Act

White Collar Defense and Corporate Investigations

Digital Health

Women in Healthcare Leadership Collaborative

Industries

Healthcare

Education

J.D., Benjamin Cardozo Law School, Yeshiva University, 2009

B.S., The College of New Jersey, 2006, *magna cum laude*

Admissions

New York

U.S. District Court for the Southern and Eastern Districts of New York

U.S. Court of Appeals, Fifth Circuit

Languages

Russian